

EXPLANATORY MEMORANDUM

DISALLOWABLE INSTRUMENT FOR THE PURPOSES OF  
SUBSECTION 167(1)(b)

LAND (PLANNING AND ENVIRONMENT) ACT 1991

DETERMINATION NO. (16) OF 1992

This disallowable instrument made under paragraph 167(1)(b) of the Land (Planning and Environment) Act 1991 establishes criteria in accordance with subsection 167(3) to enable the Executive to declare 'leases that nominate that the lessee cannot transfer or assign, sublet or part with possession of all or part of the land comprised in the lease without the previous written consent of the Minister' to be a class of leases to which section 167 shall apply and to specify criteria to determine whether a person is eligible to hold such a lease.

The disallowable instrument provides that the proposed transferee or sublessee must:

- . satisfy the Minister that he or she meets the criteria for the direct grant of that lease under subsections 161(5), 163(4) or 164(2) of the Act.